

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PRINCETON T. TAYLOR, #250922,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:17-CV-579-MHT
)	
RAYMOND ROGERS, et al.,)	
)	
Defendants.)	

RECOMMENDATION OF THE MAGISTRATE JUDGE

Princeton T. Taylor, an inmate currently incarcerated at the Bullock County Jail, initiated this 42 U.S.C. § 1983 action on July 31, 2017. After reviewing the complaint and finding numerous deficiencies with this pleading, the court determined that Taylor should be provided an opportunity to file an amended complaint to correct those deficiencies. A detailed order was therefore issued explaining the deficiencies and providing Taylor specific instructions with respect to filing the amended complaint. Doc. No. 6 at 1-4. The court specifically cautioned Taylor that his failure to comply with the this order would result in a Recommendation that this case be dismissed. *Id.* at 4.

The time allowed Taylor to file the amended complaint expired on September 19, 2017. As of the present date, Taylor has failed to file an amended complaint as required by this court. In light of Taylor's failure to file the amended complaint, the court concludes that this case should be dismissed. *Tanner v. Neal*, 232 Fed. App'x 924 (11th Cir. 2007) (affirming *sua sponte* dismissal without prejudice of inmate's § 1983 action for failure to file an amended complaint in compliance with court's prior order directing

amendment and warning of consequences for failure to comply); *Moon v. Newsome*, 863 F.2d 835, 837 (11th Cir. 1989) (holding that, as a general rule, where a litigant has been forewarned dismissal for failure to obey a court order is not an abuse of discretion.).

Accordingly, it is the RECOMMENDATION of the Magistrate Judge that this case be dismissed without prejudice for failure of the plaintiff to file an amended complaint as ordered by this court.

On or before **November 10, 2017**, the plaintiff must specifically identify the factual findings and legal conclusions in the Recommendation to which his objection is made. The plaintiff is advised that frivolous, conclusive, or general objections will not be considered. Failure to file written objections to the Magistrate Judge's findings and recommendations in accordance with the provisions of 28 U.S.C. § 636(b)(1) shall bar a party from a *de novo* determination by the District Court of legal and factual issues covered in the Recommendation and waives the right of the party to challenge on appeal the District Court's order based on unobjected-to factual and legal conclusions accepted or adopted by the District Court except upon grounds of plain error or manifest injustice. 11TH Cir. R. 3-1; *see Resolution Trust Co. v. Hallmark Builders, Inc.*, 996 F.2d 1144, 1149 (11th Cir. 1993); *Henley v. Johnson*, 885 F.2d 790, 794 (11th Cir. 1989).

DONE, on this the 27th day of October, 2017.

/s/ Susan Russ Walker
Susan Russ Walker
United States Magistrate Judge